



OFFICE OF THE DEPUTY CHIEF MANAGEMENT OFFICER
9010 DEFENSE PENTAGON
WASHINGTON, DC 20301-9010

MAR 27 2015

MEMORANDUM FOR GROUP FEDERAL OFFICER
OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR
PERSONNEL AND READINESS

SUBJECT: Charter Amendment and Membership Balance Plan – Department of Defense
Medicare-Eligible Retiree Health Care Board of Actuaries

I have approved the charter amendment for the Department of Defense Medicare-Eligible Retiree Health Care Board of Actuaries (“the Board”), and my office will file the Board’s amended charter on March 27, 2015, with the Defense Congressional Oversight Boards, the General Services Administration, and the Library of Congress. Copies of the amended charter and membership balance plan will be provided to you and the Board’s Designated Federal Officer (DFO) once the charter is filed.

In consultation with the Office of the General Counsel (OGC) of the Department of Defense (DoD), I have affirmed that all individuals appointed to the Board, once approved by the Secretary or Deputy Secretary of Defense, will be appointed to serve as special government employee (SGE) or regular government employee (RGE) members, as appropriate. The following points apply:

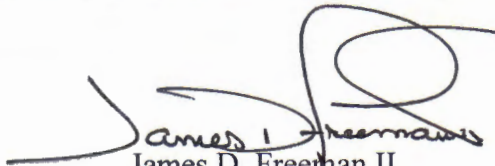
- (a) Individual members approved for appointment or renewal of appointment according to DoD policy, who are not full-time or permanent part-time Federal officers or employees, must be appointed as experts or consultants pursuant to 5 U.S.C. § 3109 to serve as SGE members. Those who are full-time or permanent part-time Federal officers or employees must be appointed pursuant to 41 C.F.R. § 102-3.130(a) to serve as RGE members.
- (b) Each Board member must be notified, in writing, of the appointment authority’s decision. Any questions pertaining to these letters of notification should be referred to me, the OGC DoD, or the Standards of Conduct Office. At a minimum, the letters shall contain the following:
 - i. Notice that individuals appointed to serve as SGE members are entitled to be compensated, while RGE members serve without compensation. All members, regardless of status, will be reimbursed for official Board-related travel and per diem.
 - ii. A statement that each individual is appointed to serve as an SGE or RGE member, as appropriate.
 - iii. An explanation of the difference between serving as an SGE or a representative member.
 - iv. A summary of the applicable ethics requirements, to include whether SGE members are required to file a Confidential Financial Disclosure Report.

As the Group Federal Officer (GFO) and on behalf of the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), you are responsible for:

- (a) Ensuring that the Board's DFO attends all Board and subcommittee meetings for the entire duration of each and every meeting.
- (b) Ensuring that the DFO and the Board fully comply with all governing Federal statutes and regulations, DoD Instruction 5105.04, "Department of Defense Federal Advisory Board Management Program," policy decisions by the Secretary of Defense or the Deputy Chief Management Officer, and procedural guidelines issued by the Advisory Committee Management Officer.
- (c) Ensuring all work done by the Board and its subcommittees is based upon written tasks or terms of reference assigned to the Board by the Secretary of Defense, the Deputy Secretary of Defense, or the USD(P&R), as the DoD Sponsor. All tasks or terms of reference are subject to public review and, at a minimum, shall include:
 - i. A description of the problem or policy to be analyzed and the DoD decision maker for the matter(s) under consideration.
 - ii. Authority for the members of the Board or its subcommittees to access DoD officials and DoD data that is pertinent to the matter(s) under consideration.
 - iii. A budget limitation under which the Board or its subcommittees must operate.
 - iv. A date by which the Board must submit its written conclusions (advice and recommendations) to the DoD decision maker.
- (d) Providing adequate support to the Board and its subcommittees, and ensuring the Board and its subcommittees are not unduly or inappropriately influenced by Federal employees or any special interest group.
- (e) Ensuring that all visits to DoD installations or facilities by members of the Board and its subcommittees are done in consultation with the Secretary of the Military Departments or the Chairman of the Joint Chiefs of Staff, as appropriate.
- (f) Ensuring all members of the Board and its subcommittees are appointed according to DoD policies and procedures. No member will participate in any work by the Board or its subcommittees until all of the following have been completed: the member completes and submits to DoD all personnel and ethics paperwork required for his or her appointment; the appropriate DoD offices process the individual's personnel and ethics paperwork; and the individual takes the oath of office for his or her appointment.
- (g) Ensuring all DoD and other Federal Agency documents provided to the Board or its subcommittees are properly marked according to governing statutes, regulations, and DoD policies and procedures.
- (h) Monitoring the implementation status of any recommendation adopted by the DoD and ensuring that this information is available for future inquiries.

Based on the Secretary of Defense's memorandum of October 9, 2012, concerning advisory committees, we recommend you continually reevaluate the Board's functions and reduce, where appropriate, the Board's operating costs. As then-Secretary of Defense Panetta stated, "we must continually assess our advisory Boards to ensure that they deliver appropriate value today and in the future as times and requirements change."

If you should have any questions about this DoD Program, the Federal governance and compliance requirements, the amended charter, or the membership balance plan, please contact Len O'Reilly, at 703-692-5949 or by email at lenworth.w.oreilly.civ@mail.mil.



James D. Freeman II
Advisory Committee Management Officer